

DECLARATORY

Improvement Res. No. 1050-1961

For the Condemnation of a permanent
right of way for sewer easement and
utility purposes across parts of the
North $\frac{1}{2}$ of Section 25, Township 30
North, Range 12 East; Lots 44 to 48
Inclusive in Larcom Place Addition
to the City of Fort Wayne; and Lots
33, 34 and 39 in Sylvan Park Addition,

Section "B" to the City of Fort Wayne, all in
Allen County, Indiana.

Resolution Adopted:

April 10, 1961

Confirmed:

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

June 15, 1961

DECLARATORY RESOLUTION NO.1050-1961

For the Condemnation of a permanent right of way for Sewer easement and utility purposes across parts of the North $\frac{1}{2}$ of Section 25, Township 30 North, Range 12 East; Lots 44 to 48 inclusive and Lots 51 to 59 inclusive in Larcom Place Addition to the City of Fort Wayne; and Lots 33, 34 and 39 in Sylvan Park Addition, Section "B" to the City of Fort Wayne, all in Allen County, Indiana.

AMENDED, deleting Condemnation on Indiana & Michigan Electric Company property. The Indiana & Michigan Electric Company agree to grant Sewer Easement through said property.

PLANS ORDERED:

ADOPTED: April 10, 1961

ADVERTISE NOTICE TO PROPERTY OWNERS: April 14 & 21, 1961

HEARING ON CONFIRMATION: Thurs., May 4, 1961 at 3:30 p. m.
Notices mailed: April 18, 1961

CONFIRMED: AS AMENDED: May 4, 1961

ASSESSMENT ROLL ORDERED: May 4, 1961

ASSESSMENT ROLL APPROVED: May 17, 1961

ADVERTISE, NOTICE TO NON RESIDENTS. May 20 & 27 & June 3, 1961
HEARING ON CONFIRMATION
OF ASSESSMENT ROLL: Thurs., June 15, 1961, 3:30 p. m.

NOTICE SERVED: June 2, 1961

ASSESSMENT ROLL CONFIRMED: June 15, 1961

For the Condemnation of a permanent right of way for sewer easement and utility purposes across parts of

The North $\frac{1}{2}$ of Section 25, Township 30 North, Range 12 East; Lots 44 to 48 inclusive and Lots 51 to 59 inclusive in Larcom Place Addition to the City of Fort Wayne; and Lots 33, 34 and 39 in Sylvan Park Addition, Section "B" to the City of Fort Wayne, all in Allen County, Indiana.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana that it is desired and deemed necessary to condemn a permanent right of way for sewer and utility purposes across the following described real estate in Allen County, Indiana:

Also, the East 7 feet of the South 745.5 feet of the Northwest $\frac{1}{4}$ of Section 25, Township 30 North, Range 12 East, and the West 7 feet of the South 745.5 feet of the Northeast $\frac{1}{4}$ of Section 25, Township 30 North, Range 12 East;

Also, the South 14 feet of the North 523 feet of the West 710 feet of the North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 25, Township 30 North, Range 12 East;

Also, the East 14 feet of the West 710 feet of the North 523 feet of the North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 25, Township 30 North, Range 12 East;

Also, the South 7 feet of Lots 44 to 48 inclusive; the South 7 feet of Lot 51 and the North 7 feet of Lots 52 to 59 inclusive in Larcom Place Addition to the City of Fort Wayne;

Also, the North 7 feet of Lot 33, the South 7 feet of Lot 34; and the South 7 feet of the East 71 feet of Lot 39, all in Sylvan Park Addition, Section "B" to the City of Fort Wayne.

except for that part thereof recorded as permanent easements for sewer and utility purposes.

All as shown by a plan of such proposed Condemnation of right of way for utility purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said Condemnation of right of way for sewer easement and utility purposes shall be assessed against the property beneficially affected there by.

The property which may be injuriously or beneficially affected by such Condemnation of right of way for sewer easement and utility purposes is described as follows: The North $\frac{1}{2}$ of Section 25, Township 30 North, Range 12 East; Lots 44 to 48 inclusive and Lots 51 to 59 inclusive in Larcom Place Addition to the City of Fort Wayne; and

Lots 33, 34 and 39 in Sylvan Park Addition, Section "B" to the City of Fort Wayne, all in Allen County, Indiana.

All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation," as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five percent (5%) per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All Proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

All streets, lots and lands affected by the above described Condemnation are situated in the North $\frac{1}{2}$ of Section 25, Township 30 North, Range 12 East, all in Allen County, Indiana.

ADOPTED THIS 4 DAY OF May 1961

[Signature]
[Signature]
[Signature]
 BOARD OF PUBLIC WORKS

ATTEST:

[Signature]
 CLERK

For the Condemnation of a permanent right of way for sewer easement and utility purposes across parts of

The North $\frac{1}{2}$ of Section 25, Township 30 North, Range 12 East; Lots 44 to 48 inclusive and Lots 51 to 59 inclusive in Larcom Place Addition to the City of Fort Wayne; and Lots 33, 34 and 39 in Sylvan Park Addition, Section "B" to the City of Fort Wayne, all in Allen County, Indiana.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana that it is desired and deemed necessary to condemn a permanent right of way for sewer and utility purposes across the following described real estate in Allen County, Indiana:

Beginning at a point 25 feet West and 54 feet North of the Southeast corner of the West $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 25, Township 30 North, Range 12 East; thence Northerly a distance of 36 feet to a point on the East line of said tract; thence Westerly a distance of 24 feet to a point on the North line of said tract; thence Southeasterly a distance of 43 feet * or - to the point of beginning:

Also, the East 7 feet of the South 745.5 feet of the Northwest $\frac{1}{4}$ of Section 25, Township 30 North, Range 12 East, and the West 7 feet of the South 745.5 feet of the Northeast $\frac{1}{4}$ of Section 25, Township 30 North, Range 12 East;

Also, the South 14 feet of the North 523 feet of the West 710 feet of the North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 25, Township 30 North, Range 12 East;

Also, the East 14 feet of the West 710 feet of the North 523 feet of the North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 25, Township 30 North, Range 12 East;

Also, the South 7 feet of Lots 44 to 48 inclusive; the South 7 feet of Lot 51 and the North 7 feet of Lots 52 to 59 inclusive in Larcom Place Addition to the City of Fort Wayne;

Also, the North 7 feet of Lot 33, the South 7 feet of Lot 34; and the South 7 feet of the East 71 feet of Lot 39, all in Sylvan Park Addition, Section "B" to the City of Fort Wayne.

except for that part thereof recorded as permanent easements for sewer and utility purposes.

All as shown by a plan of such proposed Condemnation of right of way for utility purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said Condemnation of right of way for sewer easement and utility purposes shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Condemnation of right of way for sewer easement and utility purposes is described as follows: The North $\frac{1}{2}$ of Section 25, Township 30 North, Range 12 East; Lots 44 to 48 inclusive and Lots 51 to 59 inclusive in Larcom Place Addition to the City of Fort Wayne; and

Lots 33, 34 and 39 in Sylvan Park Addition, Section "B" to the City of Fort Wayne, all in Allen County, Indiana.

All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation," as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five percent (5%) per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All Proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

All streets, lots and lands affected by the above described Condemnation are situated in the North $\frac{1}{2}$ of Section 25, Township 30 North, Range 12 East, all in Allen County, Indiana.

ADOPTED THIS 10 DAY OF April 1961

J. Z. [Signature]
J. [Signature]
[Signature]
 BOARD OF PUBLIC WORKS

ATTEST:

Gennet McGraw
 CLERK

CHRISTOFF & SNOUFFER

ATTORNEYS AT LAW

1008 FORT WAYNE BANK BLDG.
FORT WAYNE 2, INDIANA

TELEPHONES
ANTHONY 8235 AND 8236

JOSEPH CHRISTOFF
RICHARD I. SNOUFFER

June 13, 1961

Department of Public Works
City Hall
Fort Wayne, Indiana

Attention: Mr. Kenneth McGraw
Re: Declaratory Resolution No. 1050-1961

Dear Sir:

Mr. and Mrs. Carl D. Hower have brought to me the notice of benefits and assessments and agree to concur in same if, but only if, you will correspond with me and indicate by letter that there will be no additional assessments or levies of any kind in connection with the sewer or easement of the same, except the usual and normal tapping-in fee and on the further condition that the premises are restored to the original condition.

Very truly yours,

CHRISTOFF & SNOUFFER

By:

Joseph Christoff

JC:ld

cc: Mr. & Mrs. Carl D. Hower

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

43-19-3

B. O. 51-'61

Date May 4, 1961

To City Engineer

Subject Dec. 1050-1961

CONFIRMED as AMENDED.

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Paul F. Roembke
John D. Lombard
Berkeley Ward
BOARD OF PUBLIC WORKS

ic
attach Res. & P. O. List
cc: Mayor Burns

NOTED

☐ P.F.R.
☐ J.D.L.
☐ B.W.


Date _____

Signed _____

Reply:

May 15, 1961

Assessment roll of benefits and damages completed and attached.


Edward Green
City Engineer

DEB:ld
attach.

RECEIVED
MAY 16 1961

Signed _____

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

ENGINEERING
DEPT. OF STREETS

DATE May 3, 1961

NOTED

TO: Board of Public Works

☒ P.F.R.

SUBJECT: Board Order No. 51-1961

☒ J.D.L.

☒ B.W.

Date 5/6/61

A modified resolution is completed and attached for Declaratory Resolution No. 1050-1961 which provides for the condemnation of right of way for sewer easement purposes, in connection with Main Sewer Resolution No. 129-1961.

The reason for the modification is that Indiana and Michigan Electric Company wishes to grant a voluntary easement for their property. A letter from I & M to this effect is also attached.

We recommend that the resolution be confirmed as modified at the hearing on confirmation May 4, 1961.

Edward Green - D.B.
Edward Green
Chief Engineer, City Utilities

DEB:ld
attach.
cc: Mayor Burns

RECEIVED
MAY 3 1961
RECEIVED

INDIANA & MICHIGAN ELECTRIC COMPANY

2101 SPY RUN AVENUE

FORT WAYNE, INDIANA

May 3, 1961

Board of Public Works
City Hall
Fort Wayne, Indiana

Subject: Declaratory Resolution 1050-1961

Honorable Members of Board of Public Works:

This is to advise that the Indiana & Michigan Electric Company will grant an easement for sewer purposes on the above subject project, as required by the City Engineers' Office and as indicated on City Utilities Dwg. No. SY-10611, Sheet 2.

The easement required by the City of Fort Wayne is located on the west side of Hanna Street, immediately south of Lot #1 to Westchester Addition to the City of Fort Wayne, over property owned by Indiana & Michigan Electric Company.

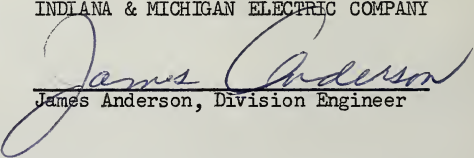
This easement will be granted under the terms of a similar easement previously approved by the City Attorney.

The purpose of this letter is to delete our property from a condemnation proceeding scheduled for May 4, 1961, at which time property of the Indiana & Michigan Electric Company, as well as other property, is to be condemned for sewer purposes.

We assume our property was included among those being condemned for R/W for sewer purposes through an oversight. You may recall that we previously agreed verbally to grant easements where required for sewer purposes over lands owned by Indiana & Michigan Electric Company so long as the grant did not interfere unjustly with our operations.

Yours very truly,

INDIANA & MICHIGAN ELECTRIC COMPANY


James Anderson, Division Engineer

JA/cs

CC: R. E. Trovinger
E. P. Kreimer
Edward Green - City Engineer
P. S. Sidney-Smith - Chief Sewer Engineer

NOTICE OF IMPROVEMENT

OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana, April 16, 1961

1050

To.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did
~~pass Improvement Resolution No. 1050-1961~~
providing for the ~~condemnation of Right of Way for Sewer Easement Purposes~~
in connection with Main Sewer Resolution No. 129-1961.

All work to be done under aforementioned Improvement Resolution shall be in accordance with the detailed plans, profile and specifications which are now on file and may be seen in the office of the Board of Public Works.

The Board has fixed Thursday, May 4, 1961, 3:30 p.m.
a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by the proposed improvement.

You are hereby notified that

is subject to assessment for said proposed improvement under the Improvement Laws passed by the General Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

NOTED

☒ P.F.R.
☒ J.D.L.
☒ B.W.

Date _____

RECEIVED
AUG 9 1961

August 8, 1961


Mr. G. L. Bridgewater
Indiana & Michigan Electric Company
2101 Spy Run Avenue
Fort Wayne, Indiana

Subject: Farwood Sewer Project - Declaratory Resolution No. 1050-1960

Dear Mr. Bridgewater:

In reply to your letter of June 13, 1961 relative to the above subject, wish to advise that this instrument was recorded by us on August 3, 1961 - 8:36 a.m. in the office of Richard Hartman, Allen County Recorder.

Very truly yours,


P. S. Sidney-Smith
Chief Sewer Engineer

gk

cc: Mayor Burns
Board of Works
Mr. Edward Green

NOTICE OF IMPROVEMENT

OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana,April 18, 1961.....

1050

To..... Jacob E. Schwartz

Fort Wayne, Indiana.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did

Declaratory

pass ~~improvement~~ Resolution No.1050-1961.....
providing for the **condemnation of right of way for sewer easement purposes**
in connection with Main Sewer Resolution No. 129-1961.

All work to be done under aforementioned Improvement Resolution shall be in accordance with the detailed plans, profile and specifications which are now on file and may be seen in the office of the Board of Public Works.

The Board has fixed **Thursday, May 4, 1961 at 3:30 p.m.**.....
a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by the proposed improvement.

You are hereby notified that

Space - Former I & M R/W west of Decatur Road in N.E.
1/4 Sec. 25-30-12 E,

is subject to assessment for said proposed improvement under the Improvement Laws passed by the General Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

BOARD OF PUBLIC WORKS
CITY HALL
FORT WAYNE 2, INDIANA



LAW DAY U
FREEDOM UNDER
MAY



RETURNED FOR BETTER ADDRESS
INSUFFICIENT ADDRESS

RECEIVED
APR 19 1961

ENGINEERING
DEPT. OF STREETS

DATE April 6, 1961

NOTED

TO: Board of Public Works

☒ P.F.R.

SUBJECT:

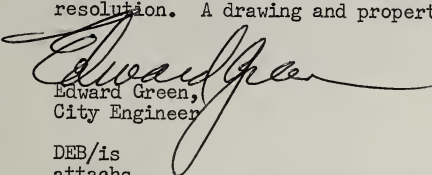
☒ J.D.L.

☒ B.W.

Date 4/10/61

Declaratory Resolution No. 1050-1961 which provides for the condemnation of right-of-way for sewer easement purposes, in connection with Main Sewer Resolution No. 129-1961, is completed and attached.

Please notify this office what Board Order number is assigned to this resolution. A drawing and property ownership list are also attached.

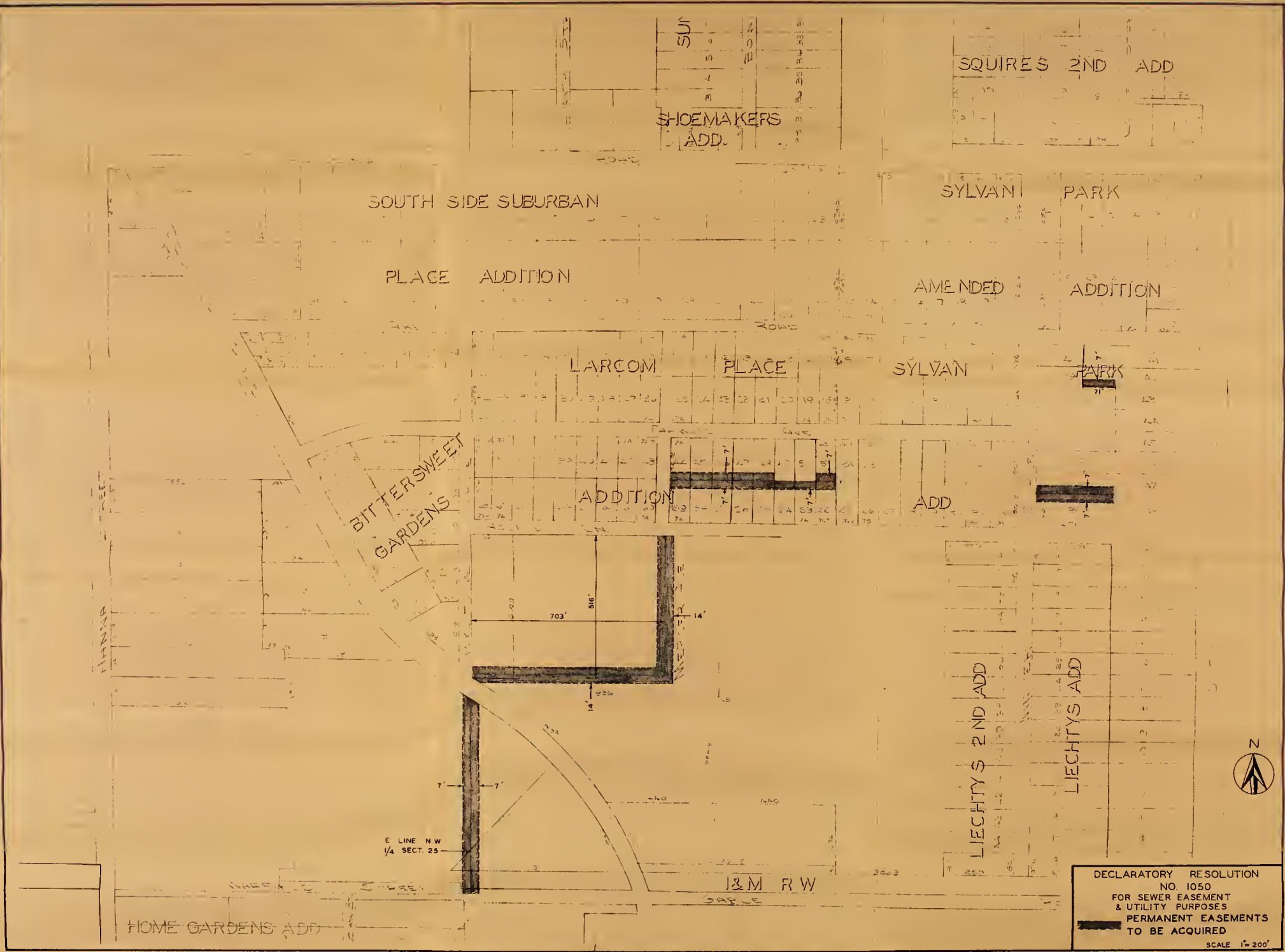

Edward Green,
City Engineer

DEB/is
attachs.

cc: Mayor Burns
P.S. Sidney-Smith

0 51

RECEIVED
APR 6 1961
RECEIVED



DECLARATORY RESOLUTION
NO. 1050
FOR SEWER EASEMENT
& UTILITY PURPOSES
PERMANENT EASEMENTS
TO BE ACQUIRED

SHOEMAKERS
ADD

SQUIRES 2ND ADD

SOUTH SIDE SUBURBAN

SYLVAN PARK

PLACE ADDITION

AMENDED ADDITION

LARCOM PLACE

SYLVAN

PARK

BITTERSWEET
GARDENS

ADDITION

ADD



E LINE N.W.
1/4 SECT 25

J & M R W

HOME GARDENS ADD

LIECHTYS 2ND ADD

LIECHTYS ADD



DECLARATORY RESOLUTION
NO. 1050
FOR SEWER EASEMENT
& UTILITY PURPOSES
PERMANENT EASEMENTS
TO BE ACQUIRED

SCALE 1" = 200'
3-29-61 CDH

Improvement Resolution No. 050-1961 For The CONDEMNATION OF RIGHT OF WAY FOR SEWER EASEMENT PURPOSES IN CONNECTION WITH MAIN SEWER RESOLUTION NO. 129-1961

	OWNER'S NAME	ADDRESS	R. F. O.	NUMBER OF			DESCRIPTION
				LOT	BLOCK	O. L.	
1	INDIANA-MICHIGAN FUEL & CO.	2101 Jefferson Ave					SPACE - 1/8 M R/W WEST OF HANNA STREET & SOUTH OF LOT #1, WESTCHESTER ADD. 1/2 N.W. 1/4 SEC. 25-30-12 E.
2							SPACE - 90' x 660' IN S.E. CORNER
3							OF N.W. 1/4 SEC. 25-30-12 E.
4	✓ FIRST SECURITIES CORP.	212 W. Jefferson					SPACE - S.W. OF DECATUR RD. IN
5							N.W. 1/4 SEC. 25-30-12 E.
6	✓ JEWISH ORTHODOX CEMETERY	202 W. Butler Ave					SPACE - FORMER 1/8 M R/W WEST
7							OF DECATUR 1/2 N.E. 1/4 SEC. 25-30-12 E.
8	✓ SCHWARTZ, JACOB & ESTHER	1255 - Sunset					SPACE - S.W. OF DECATUR RD. IN
9							N.E. 1/4 SEC. 25-30-12 E.
10	✓ RICE, JOS. O & A.M.	6502 Decatur Rd					SPACE - S.W. OF DECATUR RD. IN
11							N.E. 1/4 SEC. 25-30-12 E.
12	✓ HOWEE, CARL D. & H. M.	6312 Decatur Rd					SPACE - S.W. OF DECATUR RD. IN
13							N.E. 1/4 SEC. 25-30-12 E.
14	YADENOFF, BOB & SLADKA	4107 Decatur Rd					SPACE - N.E. OF DECATUR RD. IN
15							N.E. 1/4 SEC. 25-30-12 E.
16	✓ FELT, HERMAN C. & L.	4111 Monroeville					SPACE - N.E. OF DECATUR RD. IN
17							EAST OF HISTONE DE. & SOUTH OF
18							HOLLIS LID. 1/2 N.E. 1/4 SEC. 25-30-12 E.
19	✓ DENNER, HENRY L. & DONNA M.	6290 Winchester Rd		44			LARCOM PLACE ADD.
20				45			
21	"	"		46			"
22	"	"		47			"
23	"	"		48			"
24	✓ LAZEMAN, WOODROW C & HILDA J.	1324 Farwood		51			"
25	✓ MAY REALTY, INC	40 H M Bousier		52			"
26		4616 Lafayette Gap		53			"
27	"	"		54			"
28	"	"		55			"
29	"	"		56			"
30	"	"		57			"
31	"	"		58			"
32	"	"		59			"
33	✓ DAVENPORT, JAMES D & IMO I.	130 W. Inland Ave		33-W.181'			SYLVAN PARK ADD., SEC B.
34	"	"		34-E.18.5' OF W.181'			"
35	✓ CLINKENBEARD, HAROLD NELSON & WILLODEAN	3722 Warsaw St		33-E. 90'			"
36	"	"		34-S.18.5' OF E.90'			"
37	✓ KERR, JOSEPH L. JR.	1650 Ventura Ave		33-E.71'			"
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61	NOTICES MAILED OR SERVED						
62	April 18, 1961						
63	By Mary Glane						
64	N. to P.O.						
65							
			TOTAL				

1050